

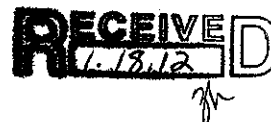
# EXHIBIT A

**BAKER  
DONELSON**  
BEARMAN, CALDWELL  
& BERKOWITZ, PC

MONARCH PLAZA  
SUITE 1600  
3414 PEACHTREE ROAD N.E.  
ATLANTA, GEORGIA 30326  
PHONE: 404.577.6000  
FAX: 404.221.6501

www.bakerdonelson.com

DORIAN B. KENNEDY  
Direct Dial: 678.406.8705  
E-Mail Address: dkennedy@bakerdonelson.com



January 11, 2012

Gold's Gym International  
125 E. John Carpenter FWY, Suite 1300  
Irving, TX 75062

RE: THE STICK trademark

To Whom It May Concern:

Our firm protects and defends the intellectual property rights of Relaxacizor Products, Inc. (RPI) of Atlanta, Georgia. RPI vigorously enforces its intellectual property rights when infringed upon by others, and intends to do so in this case.

RPI has advertised and sold massage devices for nearly twenty years under the trademark "THE STICK", which is registered with the U.S. Trademark Office as Reg. No. 1,842,703, attached hereto as Exhibit A. The goods in the registration are identified as "hand held body massage devices, namely, non-electric rolling pins attached with hand grips".

It has recently come to our attention that your company has commenced to distribute a massage device of essentially the exact same configuration as our client's device under the name "MASSAGE STICK". A copy of your product is attached hereto as Exhibit B. Providing this product in association with the name MASSAGE STICK is likely to cause confusion with our client's valuable intellectual property associated with its logo THE STICK and goods. Your use and distribution of this product is a direct infringement of RPI's trademark and must cease immediately.

We therefore demand that you immediately cease and desist any further usage of the mark MASSAGE STICK in connection with massage devices within the United States. Please be aware that the damages relating to trademark infringement include (1) your profits, (2) any damage sustained by my client, and (3) the costs of the action (lawsuit). The court may also triple the damages and assess my client's attorney fees against you if the court finds this to be a willful infringement or a counterfeit good. Furthermore, the court may assess an award of statutory damages of not less than \$500 (counterfeit or \$1,000 willful) or more than \$100,000 per infringing mark per type of good sold, offered for sale, or distributed, and if found to be willful the damages the sum may increase to not more than \$1,000,000 per infringing mark per type of good. 15 U.S.C. 1117.

A DBK 2305419 v1  
2170642-000012 01/11/2012

January 11, 2012

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My client is willing to settle this matter under the following conditions: (1) agreeing to immediately cease all use and distribution of massage devices under a name that includes the word "stick", (2) agreeing to destroy all printed brochures/flyers/products with the infringing name within it, and (3) identifying all customers that have received the infringing products.

Because of the importance of this matter, we must insist that you provide us with your written assurance by January 31, 2012 that you agree with the conditions outlined above. Unless we receive these assurances, RPI will be forced to aggressively protect its intellectual property rights from continued infringement.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dorian B. Kennedy", with a stylized flourish at the end.

Dorian B. Kennedy

Int. Cl.: 8

Prior U.S. Cl.: 23

**United States Patent and Trademark Office**

**Reg. No. 1,842,703**

Registered July 5, 1994

**TRADEMARK  
PRINCIPAL REGISTER**

**THE STICK**

RELAXACIZOR PRODUCTS INC. (GEORGIA  
CORPORATION)  
120 INTERSTATE PARKWAY EAST, SUITE 424  
ATLANTA, GA 30339

FOR: HAND HELD BODY MASSAGE DE-  
VICES; NAMELY, NON-ELECTRIC ROLLING  
PINS ATTACHED WITH HAND GRIPS, IN  
CLASS 8 (U.S. CL. 23).

FIRST USE 8-18-1993; IN COMMERCE  
8-18-1993.

SER. NO. 74-436,303, FILED 9-16-1993.

RICHARD A. STRASER, EXAMINING ATTOR-  
NEY





3 LB. PAIR SLIM WRIST WEIGHTS

MANIGAS DE PESO PARA LOS ANTEBRAZOS: DISEÑO SUTIL

MANIGAS DE PESO PARA LOS ANTEBRAZOS: DISEÑO SUTIL

18" MASSAGE STICK

18" MASSAGE STICK

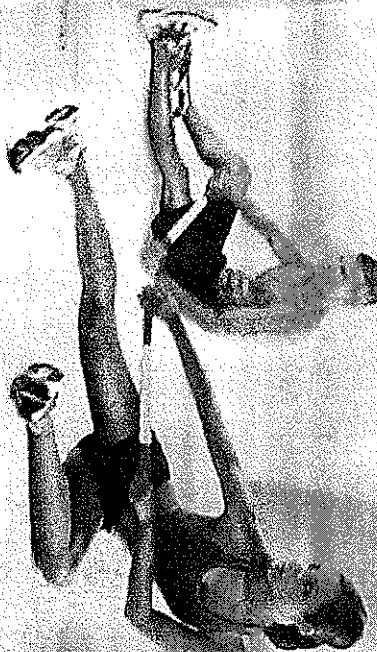


EXHIBIT  
B

Bumberg No. 5208



**BAKER  
DONELSON  
BEARMAN, CALDWELL  
& BERKOWITZ, PC**

MONARCH PLAZA  
SUITE 1600  
3414 PEACHTREE ROAD N.E.  
ATLANTA, GEORGIA 30326

**CERTIFIED MAIL**



7001 2510 0005 2612 1467

FIRST-CLASS MAIL

neopost

01/17/2012

**\$05.59**

**US POSTAGE**



ZIP 30328  
041L11211725

**JAN 17 2012**

Gold's Gym International  
125 E. John Carpenter FWY, Suite 1300  
Irving, TX 75062

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